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Human rights and mass exoduses

Report of the Secretary-General

Contents

		Paragraphs	*Page*
I.	Introduction	1–6	2
II.	The intersection of human rights and mass exoduses	7–19	2
III.	Institutional and programmatic initiatives to enhance prevention of mass exoduses	20–45	4
	A. Office of the United Nations High Commissioner for Human Rights	21–32	4
	B. Representative of the Secretary-General on internally displaced persons	33–37	6
	C. Office of the United Nations High Commissioner for Refugees	38–41	7
	D. Other international organizations	42–45	8
IV.	Early warning and information exchange	46–52	9
V.	Strengthening coordination of responses to complex emergencies	53–59	10
VI.	Conclusions and recommendations	60–62	11

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I. Introduction

1. At its fifty-second session, the General Assembly adopted resolution 52/132 entitled "Human rights and mass exoduses", in which the Assembly, conscious of the fact that mass exoduses of populations are caused by multiple and complex factors, including human rights violations, strongly deplored ethnic and other forms of intolerance and urged States to take all necessary steps to ensure respect for human rights, especially the rights of persons belonging to minorities.

2. The Assembly made special note of the important capabilities of the human rights machinery of the United Nations, including the mechanisms of the Commission on Human Rights and the human rights treaty bodies, for addressing human rights violations which cause movements of refugees and displaced persons or prevent durable solutions to their plight. The Assembly encouraged the further development and coordination of these mechanisms at both the international and regional levels, with priority given to the systematization of early warning information collection.

3. Because human rights violations occur in combination with other factors — political, ethnic and economic conflicts, famine, insecurity, violence, poverty and environmental degradation — the Assembly also recognized that comprehensive approaches, in particular early warning, require an intersectoral and multidisciplinary approach to enable a coherent response, particularly at the international and regional levels. The Assembly welcomed the cooperation between the United Nations High Commissioner for Human Rights, the Office of the United Nations High Commissioner for Refugees, the United Nations Development Programme and other relevant United Nations entities to ensure effective coordination of activities within their mandates and expertise.

4. Distressed by the widespread violation of the principle of non-refoulement and of the rights of refugees and recalling that asylum applicants should have access to fair and expeditious status-determination procedures, the Assembly encouraged States that had not already done so to consider acceding to the 1951 Convention and the 1967 Protocol relating to the Status of Refugees and to other relevant refugee instruments, as applicable, and to relevant international human rights instruments. The Assembly called upon States to ensure effective protection of refugees by, *inter alia*, respecting the principle of non-refoulement, which is not subject to derogation, and encouraged them to provide information to the Office of the United Nations High Commissioner for Refugees concerning the condition of refugees and implementation of the Convention and of law, regulations and decrees which are, or may hereafter be, in force relating to refugees.

5. The Assembly urged the Secretary-General to give high priority to and to allocate the necessary resources within the regular budget of the United Nations for the consolidation and strengthening of emergency preparedness and response mechanisms, including early warning activities in the humanitarian area, for the purpose of ensuring, *inter alia*, that effective action is taken to identify all human rights abuses which contribute to mass outflows of persons.

6. Finally, the Assembly requested the Secretary-General to prepare and submit to the General Assembly at its fifty-fourth session a report on the implementation of the resolution as it pertains to all aspects of human rights and mass exoduses, including detailed information on the programmatic, institutional, administrative, financial and management efforts instituted to enhance the capacity of the United Nations to avert new flows of refugees and to tackle the root causes of such flows.

II. The intersection of human rights and mass exoduses

7. Human rights and mass exodus issues converge in several areas, each requiring attention: human rights violations as causes of displacement; arbitrary displacement as a human rights violation; protection of the human rights of refugees and internally displaced persons; and protection of the human rights of those providing humanitarian assistance, especially in conflict situations.

8. At the fifty-fifth session of the United Nations Commission on Human Rights, the United Nations High Commissioner for Refugees noted that "human rights violations, especially in situations of conflict — and even more so, in situations of internal conflict, often pitch communities against each other, trigger senseless violence and result in massive displacement of civilians". Recent crises in Kosovo, Sierra Leone and Ethiopia/Eritrea demonstrate the point.

9. In the case of Kosovo, ethnic Albanian refugees reported fleeing because of various forms of ill-treatment at the hands of Serbian paramilitary and police as well as Yugoslav army soldiers. Forms of ill-treatment included beatings with fists and rifle butts, cruel treatment, rape and other forms of sexual assault, mutilation, shooting, threats of violence and destruction of homes and property.

Witnessing summary executions and disappearances prompted flight as well. Refugees also reported shortages and denial of access to food as a reason compelling them to leave. The return of ethnic Albanian refugees beginning in mid-June has been followed by another mass exodus from Kosovo, this time of ethnic Serbs as well as Roma. Targets of grave violations of human rights, including kidnapping, murder, physical abuse and violent appropriation of property, they have been displaced in large numbers: by early August over 150,000 of Kosovo's estimated 200,000 Serbs had fled.

10. The United Nations Observer Mission in Sierra Leone reported horrifying violations of human rights and international humanitarian law, including the wilful killing and torture or inhuman treatment of persons taking no active part in the hostilities. Rebels fighting a democratically elected Government deliberately targeted women and children with close-range gunfire, rape, mutilation and other sexual violence. Harassment and detention of men and boys and forced recruitment of children have been documented as well.

11. The conflict between Ethiopia and Eritrea has been characterized by mass exoduses and, particularly, expulsions. Mass deportations of Eritreans from Ethiopia and, in the reverse scenario, of Ethiopians from Eritrea are reported to have forced several tens of thousands of people across the border.

12. Arbitrary forced displacement is itself a human rights violation. Forced relocation to alter the ethnic, religious and racial composition of particular areas is prohibited by international human rights law. The absolute prohibition applies to ethnic cleansing, apartheid and forcible displacement used as a collective punishment.

13. Although protection against other forms of displacement is not absolute, States violate their obligations if they displace persons arbitrarily, that is, without compelling reasons strictly required to protect national security, public order, public health or similar public interests. As a general rule, warring parties are prohibited from forcing civilians to move unless they can demonstrate that the security of the affected population or imperative military reasons so demand. However, erosion of respect for humanitarian norms has led to an increase in arbitrary displacements. As noted in my report on protection for humanitarian assistance to refugees and others in conflict situations (S/1998/883), many conflict situations have been rendered particularly violent because of the involvement of irregular armed groups, militia, foreign mercenaries, child soldiers, criminals and other disparate groups with little knowledge or respect for the rules of international law.

14. The Commission on Human Rights, in resolution 1999/47 adopted at its fifty-fifth session, deplored practices of forced displacement, in particular ethnic cleansing, and the negative impact they constitute for the enjoyment of fundamental human rights by large groups of populations. The Subcommission on the Promotion and Protection of Human Rights (previously the Subcommission on Prevention of Discrimination and Protection of Minorities) recognized, in resolution 1998/27, that practices of forcible exile, mass expulsion and deportation, forced population transfer, forcible population exchange, unlawful evacuation, eviction and forcible relocations, ethnic cleansing and other forms of forcible displacement of populations within a country or across borders not only deprive the affected populations of their rights to freedom of movement but also threaten the peace and security of States.

15. Respect for human rights is essential not only in preventing mass exodus but also in protecting those who become displaced. The United Nations High Commissioner for Refugees, in her statement to the Commission on Human Rights in March 1999, emphasized that "internationally agreed rights represent a powerful framework within which to address the needs of uprooted people". The 1951 Convention relating to the Status of Refugees and its 1967 Protocol place clear legal responsibilities on States to protect refugees. However, as access to asylum is often denied, in some cases by restrictive asylum practices, promotion of the tenets of the refugee convention remains a principal activity of the Office of the United Nations High Commissioner for Refugees (UNHCR).

16. As human rights violations are the fundamental cause of refugee movements, human rights instruments and mechanisms are the precepts on which the rights of refugees, displaced persons and returnees are protected. The rights affirmed in the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, for example, support the basic purpose of humanitarian assistance, whether offered during displacement or upon return and reintegration, which is to ensure that people can enjoy physical safety and that they can sustain themselves in dignity. In support of this approach, UNHCR has published training manuals for staff on human rights and undertaken extensive training in the area of human rights both within and outside the organization. Staff are encouraged to use international human rights law in their efforts to protect refugees and displaced persons.

17. Ensuring access to humanitarian assistance is key to the protection of human rights in many situations of forced displacement. In a number of situations of mass exodus, humanitarian access has been hampered by general insecurity arising from conflict, an inability or unwillingness on the part of States and non-State actors to allow such access and, in some cases, deliberate attempts to obstruct humanitarian assistance. Problems have been exacerbated by the presence of armed combatants and criminal elements in camps housing refugees and displaced persons and in the surrounding areas.

18. Under international law, refugees and other displaced persons have a right to international protection and assistance if this is not available from their national authorities. If this right is to have any meaning for the intended beneficiaries, then the providers of international protection and assistance must have effective access to them. As described in my report on protection of humanitarian assistance to refugees and others in conflict situations, there has been a disturbing increase in the number and scale of direct attacks or use of force against personnel of United Nations and other humanitarian organizations. These attacks stem from a desire by parties to conflicts to disrupt humanitarian operations, a desire to remove actual or potential witnesses to human rights violations and other violations of international law, and a general mistrust and suspicion regarding the motives and intentions of humanitarian organizations. The dangers faced by humanitarian personnel, and the related violations of their human rights, has been exacerbated by the same armed combatants who endanger the refugees and the displaced.

19. The urgency of these issues is reflected in the attention given to them by the Security Council. Meeting in May 1997, the Security Council discussed the protection of humanitarian assistance to refugees and others in conflict situations and encouraged the Secretary-General to present a report on ways to improve it. The resulting September 1998 report stressed the importance of the Security Council being kept regularly informed of the humanitarian situation in cases of potential or actual conflict so that it has a comprehensive picture of the problem. The Security Council, in resolution 1208 (1998) of 19 November 1998 adopted following consideration of the report, affirmed the primary responsibility of States hosting refugees to ensure the security and civilian and humanitarian character of refugee camps and settlements in accordance with international refugee, human rights and humanitarian law. The Security Council also noted that a range of measures by the international community are needed to share the burden borne by African States hosting refugees and to support their efforts, including in the areas of law enforcement, disarmament of armed elements, curtailment of the flow of arms in refugee camps and settlements, separation of refugees from other persons who do not qualify for international protection afforded refugees or otherwise do not require international protection, and demobilization and reintegration of former combatants.

III. Institutional and programmatic initiatives to enhance prevention of mass exoduses

20. As my report on human rights and mass exoduses to the fifty-second session of the General Assembly (A/52/494) concluded, many of the activities of the United Nations are relevant to the tasks of preventing, preparing for and responding to mass exoduses. The wide range of activities that promote general welfare and social stability, including efforts to promote and consolidate peace, democracy and human rights, economic and social development and the protection of the environment, help avert the type of crises that generate large-scale population displacement. Efforts related to potential crisis situations, where the aim is to facilitate a peaceful resolution or management of emerging conflicts before they escalate into full-fledged emergencies, also help avert mass exoduses. Once a crisis has arisen, efforts to facilitate a peaceful resolution, including peacekeeping operations, peace mediation, humanitarian assistance and protection of civilians from abuse, mitigate the negative effects on populations that may otherwise flee en masse.

A. Office of the United Nations High Commissioner for Human Rights

21. The General Assembly has recognized that the human rights machinery of the United Nations plays a special role in support of all of these activities. The activities of the Office of the United Nations High Commissioner for Human Rights (OHCHR) intersect with mass exodus issues through the Office's monitoring activities and its field-level operations to promote the rights and safety of refugees and displaced persons. The Office also supports the mandates of the Representative of the Secretary-General on internally displaced persons and special rapporteurs of the Subcommission on such related issues as population transfers, freedom of movement and forced evictions. The participation since 1997 of the High Commissioner in the

four Executive Committees established under the programme of reform and in the Inter-Agency Standing Committee has helped to ensure that human rights perspectives are included in the deliberations of these forums and are integrated into the overall approach to humanitarian operations, as well as to issues of peace and security, development, and economic and social affairs.

22. United Nations human rights field presences exist in numerous countries affected by mass exoduses, including Burundi, Angola, the Democratic Republic of the Congo, Georgia (Abkhazia), Bosnia and Herzegovina, Croatia, the Federal Republic of Yugoslavia, the former Yugoslav Republic of Macedonia, Colombia, the Gaza Strip, Cambodia and Indonesia. The field presences enable monitoring of the rights of returnees and displaced persons. They also support the ability of the country and thematic special rapporteurs, where applicable, to monitor and report on the situation of refugees and displaced persons. A manual on human rights monitoring being developed by OHCHR includes chapters on monitoring in camps of refugees and displaced persons and during the return process. OHCHR's activities in post-conflict situations seek to create an environment in which respect for human rights will help reintegrate refugees and displaced persons and prevent future mass exoduses.

23. In response to the mass exodus of ethnic Albanians from Kosovo in the spring of 1999, the United Nations High Commissioner for Human Rights deployed human rights monitors to the former Yugoslav Republic of Macedonia, Albania, and the Federal Republic of Yugoslavia (Montenegro) in support of the emergency operation in Kosovo. The objectives of this deployment were: (a) to establish a human rights presence as close as possible to the actual developments in Kosovo; (b) to interview refugees and seek impartial verification about alleged human rights violations; (c) to seek to identify patterns and trends in human rights violations; (d) to consult and help coordinate among international partners the assembling and analysis of information relating to human rights violations in Kosovo; (e) to assemble information in reports to the High Commissioner for Human Rights, the Special Rapporteur on the situation of human rights in Bosnia and Herzegovina, Croatia and the Federal Republic of Yugoslavia and other United Nations mechanisms, including the International Tribunal for the Former Yugoslavia; and (f) to explore opportunities for technical cooperation in the future reconstruction and security of the region.

24. Since re-establishing a presence in Kosovo in June, human rights field staff have resumed monitoring activities. Based on the information received from the field, in early August the High Commissioner for Human Rights called for urgent action on behalf of some 5,000 Kosovar Albanians reported to be detained, imprisoned or abducted in the Federal Republic of Yugoslavia. She also condemned the grave human rights violations suffered by Serbs, Roma and others, expressing deep concern over the mass exodus of 150,000 Serbs from Kosovo, who join more than half a million Serb refugees in Croatia and Bosnia and Herzegovina enduring deprivation and an uncertain future in Serbia.

25. Concerning the Ethiopia/Eritrea conflict, in the proposals for a framework agreement for the resolution of the dispute made by the Organization of African Unity (OAU), it is foreseen that human rights observers will be deployed along the border with responsibilities relating to the resettlement of displaced persons along the border and the restoration of civil administration.

26. More generally, OHCHR provides technical assistance and training to promote greater respect for human rights. These activities focus on the incorporation of international human rights standards in national laws and policies; on the building or strengthening of national institutions capable of promoting and protecting human rights and democracy under the rule of law; on the formulation of national plans of action for the promotion and protection of human rights; on human rights education and training; and on promoting a culture of human rights. Such assistance may take the form of expert advisory services, training courses, workshops and seminars, fellowships, grants, provision of information and documentation, and assessments of needs.

27. In view of the fact that preventive activities need to be undertaken by the High Commissioner in the most timely manner, the Office has made information management a high priority. An integrated human rights information network has been developed as an essential part of OHCHR's information management strategy. Specifically, the Human Rights Computerized Analysis Environment (HURICANE) information system has been established to achieve efficient information management among OHCHR staff.

28. Special rapporteurs/representatives and independent experts appointed by the Commission on Human Rights and by the Subcommission on the Promotion and Protection of Human Rights, and serviced by OHCHR, regularly provide information on human rights violations that have the potential to generate mass exoduses or to prevent their being resolved. In particular, several special rapporteurs and expert groups of the Subcommission have examined different forms and aspects of displacement, including issues related to

freedom of movement, forced evictions and population transfers.

29. The 1997 report of the Special Rapporteur of the Subcommission on human rights and population transfer (E/CN.4/Sub.2/1997/23 and Corr.1) focused on forced population exchanges, the implantation of settlers, unlawful evacuation, eviction and other types of State-induced displacement and relocation within a country or across borders. The Special Rapporteur noted that the non-realization of economic, social and cultural rights may provoke mass population movements. He recommended the establishment of a working group of the Subcommission on this question, the strengthening of regional mechanisms, and the undertaking of a more detailed study on the right to return; he also addressed the questions of restoration and reparation and the need to coordinate his work with that of the Representative of the Secretary-General on internally displaced persons (see below, section B). The Special Rapporteur also appended a "Draft declaration on population transfer and the implantation of settlers" to his report. Having considered the report, the Subcommission, in resolution 1997/29, recognized that the practices described not only deprive the affected population of their rights to freedom of movement but also threaten the peace and security of States.

30. At the same session, the Subcommission also has examined the related issue of forced evictions, particularly in the context of the right to adequate housing. The term is used to cover the coerced and involuntary removal of persons, families and groups from their homes, lands and communities, whether or not deemed legal under prevailing systems of law. An expert seminar held in June 1997 noted that forced evictions are similar to other practices resulting in forced displacement and, because they intensify social conflict, may lead to still further displacements. The seminar produced guidelines that recognize that forced evictions constitute prima facie violations of a wide range of internationally recognized human rights and can only be carried out under exceptional circumstances and in full accordance with relevant provisions of international human rights law. In resolution 1998/9, the Subcommission welcomed the report of the expert seminar (E/CN.4/Sub.2/1997/7) and the guidelines.

31. An expert member of the Subcommission presented to that body, also in 1997, a working paper on the right to freedom of movement (E/CN.4/Sub.2/1997/22). The paper defined freedom of movement as encompassing the right of everyone lawfully within the territory of a State to liberty of movement and freedom to choose his or her residence, the prohibition of arbitrary deprivation of the right to enter one's own country and respect for the principle of non-refoulement. Related issues, inasmuch as they deprive populations of these rights, include forcible exile, mass expulsion and deportation, population transfer, forcible population exchange, unlawful forcible evacuation, eviction and forcible relocation, ethnic cleansing and other forms of forcible displacement of populations within a country or across borders. In resolution 1997/29, the Subcommission welcomed the working paper and decided to convene a further expert seminar to make practical recommendations for further work on this topic. This seminar is expected to be convened in the coming year.

32. These various processes of the Subcommission thus have arrived at similar conclusions regarding the related phenomena of population transfers, forced evictions and violations of the right to freedom of movement, as involving elements of coercion as well as failures of States to provide adequate protection against violation of basic human rights. However, as result of these issues being considered under different items of the Subcommission's agenda (population transfers and refugee and migration matters are discussed under an agenda item entitled "Freedom of movement", under the sub-item "Population displacement", while forced evictions come under a separate item, on the realization of economic, social and cultural rights), different guideline-setting processes have been under way in the Subcommission with respect to population transfers and forced evictions. At the same time, moreover, the Commission has considered the Guiding Principles on Internal Displacement (E/CN.4/1998/53/Add.2) developed by the Representative of the Secretary-General on internally displaced persons. Complementarity among these efforts is critical for ensuring a clear and comprehensive normative framework regarding arbitrary displacement.

B. Representative of the Secretary-General on internally displaced persons

33. OHCHR actively supports the work of the Representative of the Secretary-General on internally displaced persons. Appointed in 1992 at the request of the Commission on Human Rights, the Representative is mandated to monitor displacement problems worldwide, undertake country missions, establish dialogues with Governments, develop an international legal framework, promote effective institutional arrangements at the international and regional levels, identify preventive and protection strategies, focus attention on the needs of internally displaced women and children, and publish reports

and studies in an effort to increase international awareness of the problem.

34. Since 1992, the Representative has engaged in dialogue with Governments and human rights, humanitarian and development agencies to raise awareness of the global problem of internal displacement. He has visited 13 countries with serious problems of internal displacement, published reports on these situations, and made recommendations for improving the conditions of the displaced. His visits have often mobilized public attention at the national level to the needs of internally displaced persons and in certain cases have spurred the creation of mechanisms and institutions to deal with the problem.

35. Noting the work of the Representative in developing a legal framework, in particular the *Compilation and Analysis of Legal Norms*[1] relating to internally displaced persons and the development of the Guiding Principles on Internal Displacement, the Commission on Human Rights and the Economic and Social Council have noted with appreciation that United Nations agencies, regional and non-governmental organizations are making use of the Guiding Principles in their work and have encouraged the further dissemination and application of them. Regional organizations in Africa, the Americas and Europe have taken note of them as well and are disseminating them to their staff.

36. To support further dissemination and application of the Guiding Principles, the Inter-Agency Standing Committee (IASC) has encouraged its members to share them with their executive boards and staff and to apply them in their activities on behalf of the internally displaced. The IASC also asked its members, as well as partner agencies, to contribute examples of field programmes supporting the Guiding Principles. These examples have been compiled into a *Manual on Field Practice in Internal Displacement: Examples from UN Agencies and Partner Organizations of Field-Based Initiatives Supporting Internally Displaced Persons*. Meanwhile, the Representative commissioned a companion volume, *Handbook for Applying the Guiding Principles on Internal Displacement*, that spells out the meaning of the Guiding Principles in non-technical language to facilitate their practical application.[2] Both volumes have been reviewed by United Nations agencies and non-governmental organizations, and they will be disseminated as a package to field offices. They include practical advice on preventing forced displacement, protecting the rights of those who are displaced as well as those providing humanitarian assistance, and finding durable solutions, including return and resettlement.

37. In the past year, the Representative also has launched a series of workshops on internal displacement aimed at improving understanding of the problems confronting internally displaced persons on the ground, and of the strategies needed at the national, regional and international levels to help address their plight. More specifically, the workshops have facilitated valuable discussion on the promotion and dissemination of the Guiding Principles. The first workshop was held in Addis Ababa, in October 1998, co-sponsored by UNHCR, OAU and the Brookings Institution Project on Internal Displacement (which the Representative co-directs). The report of this workshop has been submitted to the Commission on Human Rights (E/CN.4/1999/79/Add.2). A subsequent workshop on the dissemination and implementation of the Guiding Principles was held in Bogota, Colombia, in May 1999, organized by the Brookings Institution Project in collaboration with the U.S. Committee for Refugees and a consortium of Colombian non-governmental organizations (Grupo de Apoyo a Organizaciones de Desplazados).

C. Office of the United Nations High Commissioner for Refugees

38. The Office of the United Nations High Commissioner for Refugees (UNHCR) is the organ of the international community mandated to protect and assist refugees and returnees, persons in refugee-like situations and, in some circumstances, internally displaced persons.

39. The importance given to human rights in UNHCR's work is evident in one of the recent Conclusion on international protection adopted by its Executive Committee at its forty-ninth session in 1998.[3] In its conclusion the Executive Committee, recognizing that the refugee experience is closely linked to the degree of respect by States for human rights and fundamental freedoms and the related refugee protection principles and reaffirmed the importance of educational and other programmes to combat racism, discrimination and xenophobia, to promote tolerance and respect for all persons and their human rights, to advance the rule of law and legal and judicial capacity-building, and to strengthen civil society and sustainable development. Encouraging UNHCR to strengthen further its collaboration with OHCHR and relevant human rights bodies and mechanisms, the Executive Committee noted the need to improve coordination, promote complementarity, avoid duplication of efforts and preserve the distinct character of the respective mandates.

40. The Executive Committee made special mention of the rights of refugee and displaced women, children and the elderly. Representing more than 80 per cent of the world's forcibly uprooted population, these groups often face particular human rights violations. Gender-related violence, including rape and physical mutilation, has become an all too frequent element of modern warfare. Continuing violations of the rights of refugee children include abduction with a view to forcing participation in military activities, forced family separations, sexual abuse and exploitation, acts of violence and threats to their dignity.

41. UNHCR has taken practical steps to promote respect for the rights of refugees and displaced persons. Through its "reach out" initiative, UNHCR seeks to reinvigorate support for the international protection system among Governments, non-governmental organizations, other United Nations organizations, international financial institutions, the corporate community and others. Protection issues figure prominently in the collaboration between UNHCR and NGOs within the framework of Partnership in Action. UNHCR has also produced training materials and held workshops and courses on protection of refugees and displaced persons and monitoring the rights of returnees. A field guide for NGOs on refugee protection was recently published in collaboration with NGO partners.

D. Other international organizations

42. The work of the United Nations Children's Fund (UNICEF) on behalf of displaced populations is grounded in such human rights instruments as the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination against Women. The lives of children, who are always the most vulnerable, are at special risk and their rights are compromised in the highly volatile situations that characterize mass exoduses. UNICEF's emergency programmes reflect a commitment to addressing the particular vulnerabilities of women and girls in emergency situations, and also its belief that women constitute an essential, often untapped, force for overcoming the damages of war, conflict and disruption. UNICEF has published training material, including *Humanitarian Principles Training: A Child Rights Approach to Complex Emergencies*, to increase sensitivity to these rights issues.

43. The United Nations Development Programme (UNDP) has three key roles in reference to mass exoduses: prevention, coping and recovery. UNDP's efforts to address poverty in an equitable way aim to reduce the socio-economic disparities which give rise to situations that cause displacement. Relieving people's vulnerabilities reduces the potential for human rights abuse and renders people less subject to forced displacement. UNDP's special programme initiatives seek to attenuate circumstances that may promote flight, for example, through promoting a small arms reduction programme in Albania and by supporting preventive diplomacy in the Central African Republic. UNDP works to sustain development during crises and to rekindle development initiatives at the earliest opportunity, through joint planning and implementation with UNHCR and other agencies. However, disparate funding strategies of donors and other factors continue to foster artificial gaps in international assistance that impede a swift transition from relief to development.

44. Emphasizing that access to adequate food is a basic human right, the World Food Programme (WFP) follows a threefold strategy in situations of mass exodus. First, with respect to advance planning for potential emergencies, activities include vulnerability analysis and mapping, contingency planning, and assessment of logistical capacities and intervention options. Second, WFP has strengthened its efforts with respect to the inputs required for immediate response to large-scale population movements and other types of humanitarian emergencies. Third, emergency management has been improved, including by steps to decentralize WFP's operations through increased delegation of authority to the field.

45. The International Organization for Migration (IOM) acts with its partners in the international community to assist in meeting the operational challenges of migration, advance understanding of migration issues, encourage social and economic development through migration, and uphold the human dignity and well-being of migrants. IOM is involved in all phases of mass exoduses, providing technical and operational expertise in such areas as transportation, health, and other services for migrants. In particular, IOM's work in post-conflict societies aims to facilitate the return and reintegration of affected populations, accelerate the restoration of normalcy, avoid further mass outflow of people, empower key local authorities in the management of local resources to reconstruct the social structure, and help create an atmosphere of peace, reconciliation and trust so that national experts and professionals living outside the country can return and help in the overall reconstruction of the country. Typical projects include assistance to vulnerable returnees, including the elderly, women and children, reinsertion of demobilized combatants, registration of returnees, tracing and family reunification, migration information and referral services, and support for micro-economic development activities for affected communities.

IV. Early warning and information exchange

46. The systematic monitoring of human rights violations and other factors that cause mass exoduses and undermine the protection of refugees and displaced persons can enhance the capacity of the United Nations for taking action to prevent, prepare for and respond to humanitarian emergencies. Thus, monitoring of early warning indicators and a process to generate responses are essential elements of an effective early warning system. Interdepartmental and inter-agency consultations within the Organization have increasingly begun to devote more time and effort to analysing situations that give substantial cause for concern from political, economic, human rights, humanitarian and development perspectives. Informal country or situation review meetings assess the risk of a possible conflict and offer, where appropriate, various options for either preventive or preparedness measures to be applied, by one or more components of the United Nations system.

47. Two key information tools for improving early warning and responses are the Integrated Regional Information Networks (IRINs) and the ReliefWeb, which are separate but mutually complementary and reinforcing information units of the Office for the Coordination of Humanitarian Affairs (OCHA). These units have adopted an innovative cross-border and inter-agency approach to information gathering and dissemination while at the same time fostering greater awareness of the interlocking and regional aspects of issues and events.

48. IRIN was established in late 1995 and now has offices in Nairobi, Johannesburg and Abidjan, enabling it to provide in-depth coverage of events in sub-Saharan Africa. IRIN updates and alerts, covering a wide range of humanitarian, human rights, political, economic and social issues, are drawn from an extensive network of United Nations and other sources, ranging from Governments, international organizations, academic institutions and think-tanks in capital cities to non-governmental organizations, religious missions and private enterprise. IRIN updates and alerts routinely include information on threatened or actual displacements and return movements as well as on the protection and assistance needs of the displaced populations. IRIN reports are distributed primarily via e-mail. The estimated daily readership is 16,000. In addition, thousands of readers access IRIN via the IRIN Web site (www.reliefweb.int/irin/) launched in April 1999.

49. ReliefWeb is acknowledged as the premiere online source of information on natural disasters and complex emergencies. Its mandate is to strengthen the response capacity of the humanitarian relief community through the timely dissemination of reliable information on response, preparedness and disaster prevention by providing guaranteed access to time-critical reports, maps and financial contributions both to decision makers at Headquarters and to relief teams in the field. Information on the world's crisis points and relief operations is updated around the clock and supplied by more than 300 sources including IRINs, OCHA and other United Nations agencies, Governments, international and non-governmental organizations, scientific and academic institutions, and the media.

50. ReliefWeb is a valuable tool for users in more than 170 countries who submit up to half a million page requests for humanitarian information per month. In response to the information needs of the international community, ReliefWeb has expanded its map centre, added a humanitarian contact directory and employment vacancies section, and provides access to the financial tracking of donor contributions to United Nations consolidated appeals. ReliefWeb also acts as a portal to other humanitarian web sites by providing links in its country background section. In March 1999, IRIN and ReliefWeb were integrated when IRIN launched its presence on the Internet on the ReliefWeb site. From September 1999, a ReliefWeb-via-e-mail service will be offered to allow e-mail subscriptions to users in the field whose Internet connectivity is unreliable or unavailable.

51. As part of an overall strategy of integrating its information services, OCHA plans to bring ReliefWeb and IRIN even closer together in 1999. The move is intended to build on the success of both units while at the same time maintaining their separate identities, maximizing resources, reducing costs and improving the efficiency and usefulness of OCHA's information services to the wider humanitarian community.

52. Another information management tool related to displacement, and with which ReliefWeb will be linked, is the Global IDP Database which is to be launched in the autumn of 1999. This global information system on internally displaced persons will pool together country-specific data on the causes and patterns of contemporary situations of internal displacement, the profile of the populations affected, their protection, assistance and development needs, and national and international responses. An initiative of the IASC, the development and management of the database has been out-sourced to the Norwegian Refugee Council.

V. Strengthening coordination of responses to complex emergencies

53. Success in preventing, preparing for and responding to mass exoduses depends on a well-coordinated and integrated plan of action and the availability of the human, material and financial resources necessary to carry out the plan. Over the past few years, the United Nations has taken several major steps to improve its planning and implementation capacities in these regards.

54. The establishment of the Department of Humanitarian Affairs in 1992 and its evolution in 1997 into the Office for the Coordination of Humanitarian Affairs represented significant steps towards improved coordination of the activities necessary for effective responses to mass exoduses. OCHA is mandated to mobilize and coordinate the collective efforts of the international community, in particular those of the United Nations system, to meet in a coherent and timely manner the needs of those exposed to human suffering and material destruction in disasters and emergencies. This involves reducing vulnerability, promoting solutions to root causes and facilitating the smooth transition from relief to rehabilitation and development. Its work is organized around three areas: development of humanitarian policy; advocacy of humanitarian concerns; and coordination of humanitarian emergency responses both to complex emergencies and natural disasters.

55. OCHA serves as secretariat to the IASC which comprises not only all of the United Nations humanitarian and development agencies but also includes participation by OHCHR, the Representative of the Secretary-General on internally displaced persons, the Red Cross movement, IOM and three non-governmental agency consortia. The Under-Secretary-General for Humanitarian Affairs chairs the IASC. The secretariat function has been strengthened by combining the servicing of the IASC with the servicing of the Executive Committee on Humanitarian Affairs (ECHA), also chaired by the Under-Secretary-General. ECHA brings the Special Representative of the Secretary-General for Children and Armed Conflict, the Department of Political Affairs, the Department of Peacekeeping Operations, the Office for the Coordination of Humanitarian Affairs, the Office of the High Commissioner for Human Rights, the United Nations Development Programme, the Office of the United Nations High Commissioner for Refugees, the United Nations Relief and Works Agency for Palestine Refugees in the Near East, the United Nations Children's Fund, the World Food Programme, the Food and Agriculture Organization of the United Nations and the World Health Organization into a joint forum to provide strengthened strategic coordination on humanitarian concerns.

56. In the area of policy development, OCHA has set out a number of priorities for coordinated attention from the international community: reaching consensus on and advocating humanitarian principles; linking humanitarian and political processes; defining the relationships between humanitarian and human rights action; assistance and protection for internally displaced persons; and security of humanitarian workers. In regard to these issues, particularly as they relate to mass exodus, the appointment in 1999 of a focal point within OCHA for issues of internal displacement, to work in collaboration with the Representative of the Secretary-General, is an important step towards improved responses.

57. The IASC, after examining papers on humanitarian action and human rights in 1998, created a reference group at the working level composed of representatives of OCHA, OHCHR, UNHCR, UNICEF, the International Council of Voluntary Agencies and the International Committee of the Red Cross to discuss the interface between humanitarian assistance and protection of uprooted people. Also, in 1999 the IASC Working Group is formulating a policy paper on the protection of internally displaced persons.

58. Essential to strengthening planning and responses to mass exodus and other aspects of complex emergencies has been the continued improvement in the inter-agency consolidated appeal process (CAP). Within the CAP, United Nations agencies and other participating entities (which vary from situation to situation, but may include entities such as non-governmental organizations and other international organizations) have focused on joint planning, prioritization, and the development of a common strategy. The relatively recent participation of OHCHR in the consolidated appeal process will ensure that due attention is paid to human rights issues. Another initiative has been to maximize the simultaneous launch of as many of these appeals as possible to donors and other interested parties with the most comprehensive view of humanitarian needs and actions. Thus, in December 1998 consolidated appeals were launched for 23 countries, under the auspices of OCHA.

59. Notwithstanding these various developments in the past year, the crisis in Kosovo illustrates the challenges still to be overcome in putting into place an efficient system for responding to mass exoduses. Beginning in January 1999, United Nations agencies together with donor organizations and non-governmental organizations in Belgrade and Pristina discussed contingency plans for various outcomes of the

talks being held in Rambouillet, France. Plans in place to meet the needs of 100,000 new Kosovo refugees were quickly overwhelmed when 227,000 people fled Kosovo in the first eight days of the air campaign mounted by the North Atlantic Treaty Organization and a total of 850,000 had left before hostilities ceased. Since late March 1999, the humanitarian operation in south-eastern Europe has proved to be as politicized, difficult and complex an operation as has ever been faced by the participating United Nations humanitarian agencies. A multitude of protection, logistical and coordination problems had to be addressed in a highly charged political and security environment. While the humanitarian operation achieved its overriding objective — to ensure the security and meet the immediate life-sustaining needs of hundreds of thousands of refugees — the multiplicity of actors, including bilateral actors, compounded the problems of providing a coherent, effective humanitarian response. Many lessons have already been learned, and UNHCR has commissioned an independent evaluation, which started in early July, to ensure that all the appropriate lessons are duly recorded.

VI. Conclusions and recommendations

60. The integral linkages between human rights concerns and mass exoduses make it imperative that the human rights and humanitarian communities cooperate in finding solutions to these crises. Much progress has been made in this respect. As a measure, consider the active participation of the Office of the High Commissioner for Human Rights in the IASC and the Executive Committee for Humanitarian Affairs , the regular involvement of the United Nations High Commissioner for Refugees in sessions of the Commission on Human Rights, and the increasing cooperation between the two organizations in addressing issues of mutual concern.

61. Still more must be done, however. Many of the recommendations made in my report on protection for humanitarian assistance to refugees and others in conflict situations remain relevant:

(a) Promoting accession to international law instruments, including humanitarian law, human rights law and refugee law;

(b) Disseminating and advocating human rights and humanitarian principles to encourage compliance with prohibitions against arbitrary and forcible displacement and greater respect for the rights of those who flee;

(c) Establishing mechanisms to ensure compliance with international law in order to end the culture of impunity which currently prevails: all those who violate international law must be brought to justice, whether they are State or non-State actors, and Member States are encouraged to ratify the Statute of the International Criminal Court so that it may enter into force as soon as possible;

(d) Sharing responsibility with States which experience the greatest political, economic and social impact of mass exoduses to encourage and support their respect for human rights and humanitarian principles in their treatment of refugees and displaced persons;

(e) Improving security and access to humanitarian assistance and creating a secure environment for civilians endangered by conflict and for the delivery of aid;

(f) Encouraging Member States to ratify the 1994 Convention on the Safety of United Nations and Associated Personnel and training humanitarian personnel in security procedures; efforts should be made to extend the application of the Convention so that it adequately covers all humanitarian personnel;

(g) Ensuring that the Security Council is regularly informed of the human rights and humanitarian situation in cases of potential or actual conflict.

62. Ensuring effective coordination of all United Nations activities pertaining to human rights and mass exoduses will remain a priority, as will streamlining responses where possible. Three types of coordination and streamlining are needed. First, there is a need for the various human rights mechanisms considering forced displacement issues to coordinate their activities, particularly with regard to the setting of standards and guidelines. It is possible that some of these overlapping activities can be consolidated. Second, it is vital to have optimum coordination between the human rights and humanitarian components of United Nations operations. Cooperative strategies can help ensure that human rights violations as cause and consequence of mass exoduses are addressed and the protection of refugees and displaced persons is enhanced. Finally, coordination between the human rights and humanitarian components of United Nations operations, on the one hand, and political and military components, on the other, will help ensure sharing of information needed to assess the likelihood of mass exoduses and formulate and implement strategies to prevent, prepare for and respond to these emergencies in an effective and comprehensive manner.

Notes

[1] *Internally Displaced Persons: Compilation and Analysis of Legal Norms*. United Nations publication, Sales No. E.97.XIV.2.

[2] Both volumes are, as of the time of writing of the present report, in the process of publication, in English only.

[3] *Official Records of the General Assembly, Fifty-third Session, Supplement No. 12A* (A/53/12/Add.7), chap. III, sect. A, para. 21.